

1 SUPERIOR COURT OF NEW JERSEY  
2 LAW DIVISION - MIDDLESEX COUNTY  
3 INDICTMENT NOS. 05-10-00164-S  
4 06-10-00119-S  
5 APP. DIV. DOCKET NO. 006576-06-T4

6 THE STATE OF NEW JERSEY

7 vs.

Transcript of Sentencing

8 MELANIE McGUIRE,

9 Defendant.

10 Place: Middlesex County Courthouse  
11 56 Paterson Street  
12 New Brunswick, New Jersey

13 Date: July 19, 2007

14 B E F O R E:

15 HONORABLE FREDERICK P. DeVESNA, J.S.C.

16 TRANSCRIPT ORDERED BY: Helen C. Godby, Esq.  
17 Office of the Public Defender

18 A P P E A R A N C E S:

19 PATRICIA PREZIOSO, ESQ.  
20 and CHRISTOPHER S. ROMANYSHYN, ESQ.  
21 Deputy Attorney Generals  
22 Attorneys for the State

23 JOSEPH TACOPINA, ESQ.  
24 (Firm of Joseph Tacopina, Esq.)  
25 STEPHEN TURANO, ESQ.  
(Firm of Stephen Turano, Esq.)  
Attorneys for the Defendant

26 Linda Urbaniak  
27 Certified Court Reporter  
28 Official Court Reporter  
29 Middlesex County Courthouse  
30 56 Paterson Street  
31 New Brunswick, New Jersey

Appearances

1 THE COURT: All right. Good morning, ladies  
2 and gentlemen.

3 This is the matter of State v. Melanie  
4 McGuire and we're here for sentencing and other  
5 purposes today.

6 I apologize for the crowded conditions, but  
7 there are many of you here who are very interested in  
8 these proceedings. I will ask that during the course  
9 of these proceedings I have no doubt that some of you  
10 may hear statements and may receive information that  
11 may be very upsetting to you. I urge your cooperation  
12 in allowing these proceedings to go forth without  
13 interruption. Please do not in any way state anything  
14 or engage in any conversation or make any remarks  
15 during the course of these proceedings because it will  
16 simply just delay the completion of the proceedings, so  
17 I urge your cooperation. Do the best you can.

18 Now, counsel, may I have your appearances.

19 MS. PREZIOSO: Assistant Attorney General  
20 Patricia Prezioso for the State.

21 Good morning, Judge.

22 MR. ROMANYSHYN: Good morning, your Honor.  
23 Deputy Attorney General Christopher  
24 Romanyshyn also for the State.

25 MR. TACOPINA: Good morning, your Honor.

Motion

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1 Joseph Tacopina for Miss McGuire.

2 MR. TURANO: Good morning, your Honor.

3 Stephen Turano also for Miss McGuire.

4 THE COURT: All right. Good morning,  
5 counsel.

6 The first order of business that we have  
7 today is to address the motion for a new trial based on  
8 possible newly-discovered evidence that was filed by  
9 the defense some days ago. And I understand, now  
10 having conducted further investigation and reviewed the  
11 prosecutor's -- the attorney general's response, that  
12 the defense has an application.

13 MR. TACOPINA: Your Honor, based on obviously  
14 the investigation that was done and conducted and the  
15 events surrounding this witness' initial statements and  
16 later statements, we're withdrawing the motion that we  
17 filed in regards to that newly-discovered evidence.

18 THE COURT: Any objection from the attorney  
19 general?

20 MS. PREZIOSO: Your Honor, if I just could  
21 seek a clarification. Am I correct that the defense is  
22 conceding that this new witness is entirely incredible  
23 and unreliable?

24 MR. TACOPINA: Your Honor, when we filed that  
25 motion we in no way, shape or form adopted, embraced

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1 that witness' statements. We -- I just withdrew the  
2 motion, but being that we need clarification I'll give  
3 some.

4 We were presented with the situation where  
5 someone from a jail wrote me a letter claiming to have  
6 information relevant to this case that he claimed he  
7 had and just became aware of the case after the  
8 conviction. We were duty-bound to explore it,  
9 investigate it and present it to the Court to ask, if  
10 truthful, that this potential evidence may be something  
11 that could have affected the verdict or at least to  
12 hold a hearing, your Honor, to determine if it was  
13 credible. Clearly this witness is not credible in any  
14 way, shape or form regarding his initial statement,  
15 regarding his later statements, regarding anything  
16 about the witness, so we are withdrawing the motion  
17 because there is absolutely no evidence to suggest that  
18 this witness is credible in anything he has said. And  
19 that's the basis of our withdrawing the motion.

20 THE COURT: All right. Thank you, Mr.  
21 Tacopina.

22 All right. So, counsel, I would like to move  
23 on to sentencing at this time. Let me begin by saying  
24 that I have carefully reviewed the presentence report,  
25 the various submissions by counsel, the various letters

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1 from the family and friends of both the victim and the  
2 defendant and certain psychological evaluations that  
3 were submitted in connection with the presentence  
4 report, so at this point I would ask counsel to simply  
5 summarize or highlight that information that is  
6 pertinent to these proceedings.

7 Mr. Tacopina, I'd like to call upon the  
8 defense first, number one, if there are any additions  
9 or corrections to the presentence report that you would  
10 like to bring to the Court's attention and also for you  
11 to make any statements or arguments you want to make on  
12 behalf of the defendant or call upon anyone that you  
13 wish to call upon.

14 MR. TACOPINA: Your Honor, let me address  
15 first the presentence report regarding whether we have  
16 any objections, additions or corrections. We have  
17 none. The only thing I will say in that regard is we  
18 do not adopt obviously the State's version of offense  
19 that's contained within the presentence report.  
20 Certainly I understand it's placed here and entirely  
21 proper. We just don't adopt that or accept that, but  
22 it's not something that we have grounds to object to.  
23 It belongs in the report because it's the State's  
24 version of the offense. So other than that we have  
25 no -- no further objections to that.

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1           THE COURT: I think -- I know the Court's  
2 copy includes your -- your motion, your sentencing  
3 memorandum, if you will. We have included that in the  
4 presentence report so that the Department of  
5 Corrections and anyone else who's in receipt of the  
6 presentence report will have your version, if you  
7 will --

8           MR. TACOPINA: Yes.

9           THE COURT: -- of what took place. Is it  
10 attached to your copy?

11           MR. TACOPINA: It is, your Honor.

12           THE COURT: All right. So I just want to  
13 make sure. All right. Very well then.

14           Mr. Tacopina, would you like to make any  
15 statements at this time or do you wish to call upon  
16 someone?

17           MR. TACOPINA: Your Honor, I'm going to be  
18 very brief. I know one thing I've come to know about  
19 you is you read everything very carefully, and we made  
20 a submission regarding what we believe are relevant  
21 factors for your consideration in regards to the  
22 sentencing and we've attached reams of letters from  
23 people who know Melanie McGuire, and I know you've read  
24 them and considered them. I'd like to be very brief in  
25 regards to that. I don't have much to say outside of

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1 that, the four corners of our papers.

2           I think first though the one person who I'd  
3 like to call on to speak about Melanie, someone who  
4 knows Melanie, and that's Allison, a friend, Allison  
5 LiCalsi, and she's in court today, and that will be the  
6 only person I think we intend to call for the purpose  
7 of brevity combined with our letters, your Honor.

8           THE COURT: Is Miss LiCalsi here?

9           MS. ALLISON LiCALSI: I'd like to say a few  
10 words on behalf of Melanie.

11           I've been a friend of Melanie since 1987,  
12 twenty years is a long time, and in that time I've come  
13 to know Melanie as the person she truly is. I can  
14 honestly say she is not the woman depicted by the  
15 prosecution, the media and the internet blogs. That  
16 creation, that fiction, bears no resemblance to  
17 Melanie, and that has been so difficult for Melanie and  
18 her loved ones to endure. The Melanie I know, the real  
19 Melanie, the Melanie who's cherished by her countless  
20 loved ones, is a kind, caring, sincere individual. Her  
21 sassy sense of humor and quick wit are balanced by her  
22 warm and generous spirit. I cannot begin to convey  
23 what Melanie means to me or her other friends and  
24 family members. I can only tell you she is a beloved  
25 daughter, a loyal, giving friend and a dedicated and

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1 loving mother.

2 She chose the nursing profession because of  
3 her desire to help others and she continues to help  
4 others even while in jail. In my letter to the Court  
5 I mentioned that Melanie was acting as a tutor to  
6 a woman who is a high school dropout. I've since  
7 learned that she's also using her nursing skills. She  
8 recently took care of a fellow inmate who was  
9 withdrawing from heroin addiction. For anyone who  
10 knows what that entails, that person would agree that  
11 this is a selfless act.

12 In accordance with strict guidelines, I'm the  
13 only one speaking for Melanie today, but there are so  
14 many others who would have spoken for her had they had  
15 the chance and who continue to support her and believe  
16 in her innocence. Among them are her parents; her  
17 brother Christopher Cappararo; her friend of almost  
18 three years, Selene Trivizas. Speaking in front of you  
19 today is one of the hardest things I've had to do.  
20 I find this gut-wrenching, but I understand it needed  
21 to be done.

22 I've often been told Melanie is lucky to have  
23 me for a friend, but the truth is I'm lucky to have  
24 her. The fact I'm standing before you today says so  
25 much more about her than it does about me. Friendship

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1 works both ways and we tend to get what we give. My  
2 willingness to speak for Melanie is a reflection of  
3 her, an accurate reflection of the woman she truly is.  
4 The support Melanie's loved ones give to her is in  
5 direct proportion to all she's giving us.

6 In life we meet many people, most friendships  
7 come and go, but a few precious remain. I stand here  
8 today profoundly sad but also deeply proud and honored  
9 to call Melanie McGuire my friend.

10 Thank you.

11 THE COURT: All right. Thank you, Miss  
12 LiCalsi.

13 And the record should reflect that, Miss  
14 LiCalsi, you should know that the Court has read the  
15 letters that were submitted to the Court from the  
16 individuals that you mentioned, so I am considering  
17 their comments and remarks.

18 Okay. Mr. Tacopina.

19 MR. TACOPINA: Yes, your Honor. Just  
20 briefly, sir.

21 Your Honor's familiar with our submission and  
22 our request. I know we're limited in what we can do  
23 here today as far as seeking mitigation and -- and  
24 asking for leniency. My request for leniency would be  
25 based on Melanie McGuire's character and the

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1 appropriate mitigating factors that I think are set  
2 forth, your Honor, in the New Jersey Codes. That being  
3 said, leniency is not, your Honor, based on an apology,  
4 an acceptance or responsibility or -- or any remorse  
5 whatever. Melanie McGuire's innocent. She was  
6 convicted. We respect the jury's verdict. We don't  
7 agree with it. We're going to fight this case through  
8 the appellate process, your Honor, but for the purposes  
9 of today I do want the Court to consider what I think  
10 is appropriate factors for sentencing, and certainly  
11 those, your Honor, would be the character letters  
12 you've seen regarding Melanie McGuire.

13 First of all, regarding the law, and this is  
14 not a legal argument today, your Honor, but I think the  
15 New Jersey Supreme Court in Yarbough promulgated the  
16 five factors that -- that the Court needs to consider  
17 in determining whether sentences should be concurrent  
18 or consecutive. I know your Honor's familiar with  
19 them, they're outlined in our submission to you, but in  
20 regards to the single period of aberrant behavior  
21 standard that's laid out in that case, your Honor,  
22 under the State's own theory of prosecution here, Miss  
23 McGuire was either acting alone as a principal or an  
24 accomplice when she committed the crimes that they have  
25 alleged she's committed she stands before you to be

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1 sentenced on today and then engaged in various conduct  
2 including desecrating the remains and perjury in order  
3 to conceal her involvement according to the State. As  
4 such, your Honor, the murder and possession of a  
5 firearm, conduct and the desecrating were temporally  
6 and logically related to one another and I think  
7 their objectives are so interrelated to represent  
8 a single period of aberrant behavior. I don't think  
9 there would be any question that this conduct, if true,  
10 would be aberrant in the life of Melanie McGuire.

11 Your Honor's heard character testimony  
12 presented at trial regarding Melanie both from State  
13 witnesses and certainly from defense witnesses.  
14 I hearken back to one who has really left a profound  
15 impact on my mind's eye, that was Melissa Blake, the  
16 young girl who came in here in a wheelchair and really  
17 talked about what Melanie McGuire meant to her and her  
18 family and the Blakes, the parents. Lorraine came in  
19 here and talked about how gentle, caring and passionate  
20 Melanie is and what she meant to so many people.

21 Your Honor, we had, as you know, a list of  
22 50 to 60 people who would have loved to have come here  
23 and testify regarding Melanie's character, and  
24 certainly we were bound by the laws regarding the  
25 admissibility of certain testimony, but I think so many

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1 different people have come to this one conclusion, the  
2 people who know Melanie McGuire, the people who have  
3 come to know her both as a friend, from a professional  
4 standpoint, that Melanie is giving of herself, has been  
5 a rock to many, has gotten people through incredibly  
6 difficult times. Her impact, and I think one of the  
7 State's witnesses, Dr. Scott who was the -- I think the  
8 head of R.M.A. where Melanie worked, really in one  
9 moment during his testimony looked over at her and  
10 talked about the type of person, the type of nurse, she  
11 was and what she meant to her patients. She was  
12 incredible as far as her professional skills were  
13 concerned, but more incredible as far as her passionate  
14 people skills were concerned. She's been described,  
15 your Honor, I know you've read all the letters, as  
16 warm-hearted and loving and someone who would give of  
17 herself before putting herself into her own  
18 considerations.

19 And, you know, your Honor, Miss LiCalsi just  
20 said something I was going to bring up, but our -- from  
21 our conversations with prison officials and my  
22 information, Melanie McGuire continues to be that  
23 person today even -- even though she's in a place where  
24 we firmly believe she doesn't belong. She helps people  
25 that she's housed with. She helped someone with an

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1 addiction, she helped someone with an emotional issue  
2 and she really has been looked upon by the staff as  
3 a model inmate and she continues to do what she's done  
4 all her life which is help others, care for others.

5 Your Honor, I to this day get 10 or 12  
6 E-mails from people who know her and offer their help,  
7 want to be heard, and all I could do is let them know  
8 that I would try and relay, and we did through our  
9 letters to everyone here, to your Honor, who the real  
10 Melanie McGuire is and that's the person who I want you  
11 to consider, your Honor, when you're making your  
12 sentencing judgment.

13 Again I know -- I know we're limited as far  
14 as what we could ask for, and the best we could walk  
15 out of here today, your Honor, is a sentence of  
16 30 years without the possibility of parole. That's  
17 an enormous sentence and I find myself at a loss asking  
18 for a sentence like that for Melanie McGuire, but  
19 that's what I'm asking for.

20 I think the mitigating factors that are  
21 outlined in our papers, your Honor, and that are  
22 factors that should apply according to N.J.S.A. 2C,  
23 defendant has led a law-abiding life for a substantial  
24 period of time, the character of the defendant  
25 indicates she is unlikely to commit another offense, so

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1 I think that's not an issue, and that the defendant's  
2 incarceration would entail excessive hardship on  
3 dependents. I'm not going to say much more about that  
4 last prong, your Honor, but I know the Court's aware of  
5 what this profound impact is having on others today and  
6 the two dependents who do in fact depend on Melanie  
7 McGuire.

8 Your Honor, I'd ask you to consider all these  
9 factors, Melanie McGuire's character, the letters we  
10 submitted and giving her a sentence of 30 years,  
11 because I think this was, according to the State's  
12 theory of prosecution, an aberrant act in an otherwise  
13 remarkable life, a life that really went above and  
14 beyond.

15 I know you read the letter of Mr. Sclafani  
16 who talked about how he still believes Melanie McGuire  
17 saved his life, he was going to commit suicide.  
18 There's so many, so many stories that parallel that  
19 that it's uncanny.

20 But I do ask for the 30 years, your Honor,  
21 with the sense of -- indignation perhaps isn't the  
22 right word, but we in no way, shape or form agree with  
23 this verdict, we in no way, shape or form apologize for  
24 her conduct. She did not commit this crime. I do  
25 sympathize and we all sympathize with the family of

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1 William McGuire and what happened to him, and -- and  
2 make no mistake about that, and he is a victim and they  
3 are victims, but Melanie McGuire and her family are  
4 victims as well.

5 I'd ask your Honor to consider all these  
6 factors in imposing your sentence.

7 Thank you.

8 THE COURT: All right. Thank you,  
9 Mr. Tacopina.

10 Miss Prezioso.

11 MS. PREZIOSO: Yes, your Honor. And, if the  
12 Court doesn't mind, I'd like to use the podium.

13 THE COURT: Of course.

14 MS. PREZIOSO: Judge, as you are aware, the  
15 State has submitted a detailed sentencing memo setting  
16 forth what our recommendations are and the reasons for  
17 them. I do have some comments today, however, Judge,  
18 and these comments are intended to supplement and  
19 highlight certain points of the brief.

20 Today, today, Judge, marks the end of the  
21 trial process and many of William McGuire's friends and  
22 family are with us today and in a little while some of  
23 those people, Judge, will be addressing the Court and  
24 making victim impact statements. Laura Ligosh, Bill's  
25 niece, John Rice, one of Bill's best friends, and Cindy

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1 Ligosh, Bill's sister, will speak and describe to the  
2 Court how this crime has impacted their lives. I speak  
3 today, Judge, as always, representing the State of  
4 New Jersey.

5 On April 28th, 2004, or thereabouts,  
6 New Jersey lost one of its citizens and, Judge, the  
7 person that was killed on that day is somebody that  
8 this Court and the media have not heard much about.  
9 I was not fortunate enough to know Bill McGuire. His  
10 family, when they speak, his family and friends, will  
11 have their opportunity to share with the Court what  
12 Bill McGuire was like in life. Your Honor, I will, as  
13 I always have in this courtroom, restrict my comments  
14 to the evidence that was presented at trial, and in  
15 doing just that I would like to respectfully point out  
16 to the Court that although there was much discussion  
17 about the victim in this case, Mr. McGuire, there was  
18 not one shred of evidence, Judge, not one shred, that  
19 came from that witness chair that detailed Bill McGuire  
20 to be anything other than a loving father and husband.  
21 During the trial we didn't hear much about Bill  
22 McGuire's life at all because, as the rules of our  
23 state require, when we were here we were focused on his  
24 death, but I do trust that his family and friends in  
25 a short time will fill in that gap.

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1 We did hear, however, Judge, during the trial  
2 a great deal about Melanie McGuire; however, your  
3 Honor, we didn't hear everything about Melanie McGuire  
4 and I would respectfully like to remind the Court that  
5 even today, even with those character letters, we still  
6 have not heard everything about Melanie McGuire.

7 Your Honor, the evidence showed that Melanie  
8 McGuire is someone who kept secrets from her family and  
9 friends, a secret affair that your Honor is aware not  
10 with just one man but with two during her short  
11 marriage to Bill McGuire.

12 Now, your Honor has received several letters  
13 on the defendant's behalf submitted on the defendant's  
14 request, and I know, as is the habit of this Court,  
15 that the Court will evaluate and consider them  
16 appropriately, but I would like to point out to the  
17 Court that this is a defendant who puts on a face and  
18 shows persons before her whatever it is she wants them  
19 to see and as I stand here today as a prosecutor who  
20 has investigated the case for three years I don't know  
21 who the real Melanie McGuire is.

22 Now, your Honor, there are obviously people  
23 in this courtroom who love this defendant very, very  
24 much, and the State does recognize that today is  
25 a tragedy for them as well; however, I would be remiss,

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1 Judge, if I did not offer or request, if you will, the  
2 Court to consider that it was some of the attributes  
3 touted as being beneficial to Miss McGuire's character  
4 those attributes provided her and enabled her to  
5 brutally and dispassionately kill and desecrate her  
6 husband. It was that the defendant, when she wants to,  
7 can be a very loving and kind person that made Bill  
8 McGuire fall in love with her and elect to spend his  
9 life with her. It was her friendships and loyalties  
10 that she developed with persons like Jim Finn that  
11 permitted her, when she needed it, to get information  
12 on how to purchase a gun. It was her previous  
13 relationships with her sisters-in-law, Nancy Taylor and  
14 Cindy Ligosh, that permitted her to successfully lie  
15 when Bill went missing and delay the investigation in  
16 starting. It was her nursing experience that enabled  
17 her to fill out that prescription and ultimately poison  
18 Bill McGuire to the point where he was incapacitated  
19 and unable to fight for his life. It was the fact that  
20 she surrounded by a close-knit family and friends that  
21 made her feel protected and worthy of belief. All of  
22 this, Judge, permitted her to plan this murder, execute  
23 her husband, plant and create evidence to cover her  
24 tracks and then later try to control the investigation.  
25

And to be certain, Judge, to be certain,

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1 there is nothing that this killer has done in her  
2 lifetime that mitigates against her taking the life of  
3 the man that she promised to love and cherish for the  
4 rest of his. There are no mitigating factors, Judge,  
5 but, however, there are aggravating factors. And  
6 again, Judge, I'm just going to highlight the main  
7 points.

8 But I'd like to begin by pointing the Court's  
9 attention to the nature and circumstances of this  
10 offense. The evidence showed that this killing was  
11 deliberate, planned and the product of a great deal of  
12 not only consideration but of research. The  
13 complexity, premeditation, calculation and planning  
14 indicates a coldness and viciousness that is beyond  
15 what we regularly see in even our murder prosecutions,  
16 and your Honor is well aware that our murder statute is  
17 the same for all murders, and under the laws of our  
18 state it leaves the Court to separate those that have  
19 aggravating factors and are worthy of higher sentences  
20 from those that are not even among all murders which  
21 are the most despicable crime that is listed in our  
22 penal law.

23 In this case, Judge, we have a defendant who  
24 cunningly incapacitated her husband with drugs she got  
25 from a forged prescription, shot him with an illegally

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1 obtained gun and then cut his body into pieces and  
2 disposed of him as if he were trash. If that's not  
3 enough, add in that she planted his car in Atlantic  
4 City, faked phone calls and E-mail communications to  
5 look as if he were alive, manipulated E-Zpass records  
6 to cover her tracks, lied under oath committing perjury  
7 in our courts to fabricate a defense all the while  
8 while lying to those who loved Bill McGuire. Bill  
9 McGuire's body was left butchered, his body parts left  
10 to rot in three suitcases that were dumped in the great  
11 expanse of the Chesapeake Bay. His body was cut up  
12 with at least two instruments using great care to  
13 conceal the crime scene. His desecrated body was bled  
14 out like an animal, left being bled, slaughtered, all  
15 to protect this defendant from getting caught, then his  
16 body was driven far away to another state without  
17 identification, for the most part without any clothing,  
18 and dumped in the water.

19 It took nearly a month for law enforcement to  
20 be able to identify Bill McGuire. And, your Honor, I'd  
21 like to direct the Court's attention specifically to  
22 the anguish that his family and friends endured during  
23 that month where every time the phone rang they were  
24 hoping it was him, they were hoping it was their  
25 brother, but, Judge, it never was. Anguish -- their

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1 anguish was later met with lies after his  
2 identification, lies about Bill McGuire being involved  
3 in a Mafia, with loan-sharks, with organized crime.  
4 This defendant desecrated his body and then she began  
5 to desecrate his memory and she continues to do so to  
6 this day.

7 The nature and circumstances of this case  
8 alone, Judge, just that one factor, gives this Court  
9 ample support to give this defendant the maximum  
10 penalty. But there's more.

11 Factor two in 2C:44-1a, subsection two, the  
12 age and vulnerability of the victim, I'd like the Court  
13 to focus its attention on the vulnerability of the  
14 victim because our case law supports applying this  
15 factor where the victim is rendered substantially  
16 incapable of exercising normal physical or mental power  
17 of resistance and, as cited in the brief, that's under  
18 State v. O'Donnell. This defendant incapacitated this  
19 victim with Chloral Hydrate so he couldn't fight for  
20 his life. He trusted and loved his killer, Judge.  
21 Bill McGuire never got to fight for his life because  
22 this defendant made sure he couldn't and for that  
23 reason this -- this aggravating factor should apply.

24 Additionally, Judge, you should apply factor  
25 three, the risk of another offense. This defendant

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1 stands before you not accepting any, any responsibility  
2 for this crime. She continues to deny her  
3 participation and displays a total and complete lack of  
4 remorse. She clearly is somebody that is used to being  
5 believed. She displays an arrogance as if she is  
6 entitled to be above the law. Even now after verdict  
7 she continues to give interviews, one as recent as just  
8 two days ago denying her involvement, alleging that her  
9 problems in her marriage and this murder were all about  
10 Bill, that almost that -- that this victim was at fault  
11 in his own death. Defendant has shown by her crimes  
12 here that she will do whatever it takes to get her way.  
13 She would not let anything as insignificant as the laws  
14 of the State of New Jersey or the laws of society keep  
15 her from doing what she thinks is best for her. Her  
16 actions exhibit a viciousness and a need for control  
17 that I submit to the Court separates her from most  
18 every other prisoner that are in our jails. Her past  
19 actions prove her in that regard to be dangerous,  
20 Judge, very dangerous. She has no regard for our laws  
21 unless she believes that they inure to her benefit.  
22 She would not hesitate to break these laws, Judge, or  
23 to do this again, and for that reason she should never,  
24 ever walk free again.

25 I'd also like to point the Court to the need

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1 to deter, that would be subsection nine of the same  
2 statute, and point out to the Court, Judge, that she  
3 had other choices. She could have divorced Bill  
4 McGuire. She opted for what she believed would be  
5 easier for her in the long-term and in recent --  
6 unfortunately, Judge, in recent years killing spouses  
7 has become rather popular. The need for public safety  
8 and deterrence increases proportionately with the  
9 degree of the offense and, as your Honor is well aware,  
10 there is no greater wrong than murder. This defendant  
11 and others need to see that killings -- killing one's  
12 spouse is not an option when faced with wanting to  
13 leave a marriage. Further, well-articulated excuses  
14 and manipulation cannot get anyone, even those who  
15 don't look like criminals, around the law.

16 Judge, specifically on the perjury charge the  
17 Court (sic) would like -- would ask you to consider the  
18 defendant's prior record which the Court knows includes  
19 receiving Pretrial Intervention for a prior perjury  
20 that occurred in Union County in 1997. Despite the  
21 second chance afforded to this defendant through that  
22 program, she still opted knowing full well and very  
23 well that perjury is a crime in this state. She  
24 elected to do the same thing again and use our courts,  
25 and in this time, Judge, it was to create a defense for

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1 her and conceal her own crimes.

2 Moving on from aggravating circumstances,  
3 Judge, I'd like to briefly discuss consecutive  
4 sentences, and your Honor is well aware of the factors  
5 to be considered as articulated in State v. Yarbough.

6 Judge, the State is requesting that the Court  
7 impose sentences on the desecration and the perjury  
8 consecutive to the murder and consecutive to each  
9 other. The reasons are -- are well-articulated in the  
10 brief, Judge, but -- but, to put succinctly, they were  
11 separate and distinct acts. Each of those acts, the  
12 cutting up of his body and the perjury, added to this  
13 crime. The desecrating certainly added to the horror  
14 that his family had to endure. To run the sentences  
15 concurrent would be tantamount to giving this defendant  
16 the desecration and the perjury for free. There should  
17 be separate sentences. They had separate -- she had  
18 separate objectives. First she killed him, the murder  
19 charge, then she cut him up to get rid of his remains,  
20 the desecration, and then she lied about it in court,  
21 the perjury. The crimes were separated in time and  
22 space, so they clearly were not the product of one  
23 single period of aberrant behavior. Each of these  
24 crimes required separate and protracted planning and  
25 consideration. None of these crimes were rash. They

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1 were well thought out and carefully executed. Each as  
2 such deserves a separate punishment.

3 Your Honor, the State is requesting that the  
4 maximum sentence on these crimes be imposed. The  
5 maximum sentence will insure that this defendant never  
6 walks free again. Specifically, Judge, we're asking  
7 for life on the murder, consecutive 10 on the  
8 desecration and consecutive five on the perjury. As  
9 articulated in the brief, the State concedes that by  
10 ordinance of law the gun charge merges with the murder.

11 Your Honor, while she's in jail she will  
12 still get to visit with her family and friends. She  
13 will get to read books, watch TV, keep up with current  
14 events, feel sunshine on her face. Bill McGuire won't.  
15 Bill McGuire will never speak another word. His  
16 family, many of whom are in court today, will never  
17 hear his voice again. He will not see his children  
18 grow up. He will never get the satisfaction of seeing  
19 his children living in the house that he worked so hard  
20 to get for them. He will never, ever feel sunshine on  
21 his face. It would be an injustice if after doing  
22 these horrific acts that took Bill McGuire from the  
23 face of this earth and hurt so many people who loved  
24 him if she were ever to be released from prison.

25 Many, your Honor, have been treating this

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1 case as if it's a mystery. The State stands before you  
2 with the mystery solved. She has been found guilty of  
3 one of the most calculated and horrific murders in  
4 recent time within our state. She deserves no special  
5 treatment. She killed her husband with careful  
6 premeditation, she killed the father of her children  
7 and those boys who Bill McGuire loved so dearly will  
8 live the rest of their lives without him. They won't  
9 have a father or a mother because of the actions of  
10 this defendant. She should be shown no more compassion  
11 by this Court than she showed her husband. She  
12 deserves and justice requires that she be in jail for  
13 the rest of her life. The State of New Jersey deserves  
14 finality in knowing that this killer will never hurt  
15 another person. Bill McGuire's family and friends  
16 should be given peace knowing they won't have to attend  
17 a parole hearing for at least 63 and three-quarter  
18 years. And please, Judge, please deliver that justice  
19 today. Please sentence her to life plus 15.

20 And, your Honor, with that I would like to  
21 ask Laura Ligosh to come forward.

22 THE COURT: Good morning, Miss Ligosh.

23 I just want to just reiterate for you that  
24 under the laws of this State and the Constitution of  
25 this State you have a right to come here today and

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1 you're entitled to tell me about the impact that this  
2 crime has had upon you and your family. I must ask you  
3 to direct your remarks only to me, not to anyone else  
4 in the courtroom, and please do not make any personal  
5 attacks on anyone in the courtroom, just explain to the  
6 Court so that I can consider your statement the impact  
7 that this crime has had upon you and your family.

8 Okay?

9 MS. LAURA LIGOSH: Okay.

10 When I remember my uncle the first thing --  
11 the first thing I see is a water-logged suitcase. The  
12 suitcase is open, filled with black plastic trash bags.  
13 The bags are pushed aside and I see two long, pale  
14 objects. These objects are a man's legs. No body,  
15 no face, just parts. I recognize these legs. These  
16 are my Uncle Billy's legs. We used to tease him  
17 endlessly about the silly shorts he loved to wear,  
18 proudly parading the vast majority of his chubby,  
19 pasty-white Irish legs for all of us to see. Now those  
20 legs are only a gruesome reminder of the way he was  
21 murdered.

22 When I remember my uncle's face I don't see  
23 his infectious grin and the boyish mischief in his  
24 eyes. I see that pencil sketch rendered by the  
25 Virginia Police Department of a body that was pulled

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1 out of the water on three separate days. No name,  
2 no voice, just lifeless eyes set in a bloated shape and  
3 head.

4 When I remember my uncle's wedding I don't  
5 see a handsome, happy man in a snappy black tuxedo with  
6 a spring in his step. I see a diagram of a body that  
7 has been horribly desecrated, carved up into parts  
8 small enough to fit into three little suitcases.

9 When Melanie McGuire awaits her sentence for  
10 a brutal, calculated murder Billy McGuire's family and  
11 friends suffer in the wake of her actions. A lifetime  
12 in prison is not nearly enough compensation for all the  
13 crimes committed by this woman, for many of her crimes  
14 were committed outside the scope of those acts  
15 punishable by law. Beyond taking Billy McGuire's life,  
16 she has taken something deeper from all of us, our  
17 innocence, our faith in humanity, our willingness to  
18 trust blindly those we love. She has stolen our  
19 smiles, our laughter, our joy. What compensation could  
20 the Court offer any of us for the loss of a brother,  
21 an uncle, a friend? Her greatest crime is not what she  
22 did to my uncle, but what she stole from his two sons.  
23 What compensation could the Court offer those children  
24 for the loss of a future with their loving, devoted  
25 father?

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1 She has taken so much from so many and all  
2 she has given in return is a sad and tarnished memory  
3 of a respected and beloved man. The family and friends  
4 of Billy McGuire will suffer his loss for the rest of  
5 our days while this heartless murderer stands only to  
6 suffer the loss of her freedom. All we could ask, that  
7 you take her freedom as she took our Billy.

8 Thank you.

9 THE COURT: All right. Thank you, Miss  
10 Ligosh.

11 MS. PREZIOSO: Your Honor, we would ask John  
12 Rice to come up next.

13 MR. JOHN RICE: Judge, for the past three  
14 years our anger, pain and frustration as a result of  
15 Bill's murder has never ceased. First and foremost,  
16 Bill McGuire was an integral part of our family and was  
17 a victim of a heinous crime. Our anger and frustration  
18 are a result of how he was brutally murdered,  
19 dismembered and thrown away like garbage. We've had to  
20 endure our friend's reputation being dragged through  
21 the mud. Bill's minor imperfections were magnified to  
22 cover the acts of a selfish, arrogant and manipulative  
23 individual. Bill's life was not dispensable. His life  
24 was of immense value to his real family and friends and  
25 he's greatly missed.

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1 Since the day that we found out our friend  
2 was missing our lives have never been the same. We've  
3 had to live with bouts of depression and the physical  
4 sickness that accompanies depression. We will never be  
5 able to forget having to view gruesome pictures of our  
6 friend's bloated face to identify his body. Those  
7 hideous images will forever be burned in our memory.

8 I will never have another best friend like  
9 the one I found in Bill. If needed, Bill would give me  
10 the shirt off his back. I hate the fact that I cannot  
11 pick up the phone and talk to Bill. Now after three  
12 years Sue and I find ourselves defending Bill's honor  
13 and his memory. After being a computer engineer at  
14 N.J.I.T., an -- after being a computer technician in  
15 the U.S. Navy Bill put himself through college, was  
16 a computer engineer at N.J.I.T., an adjunct professor  
17 at N.J.I.T. and co-owned a computer consulting  
18 business. Bill was a hard worker, innovative and had  
19 a passion for life. I wish you could have known him.

20 Bill was a protective husband, a loving  
21 father and wanted the best for his family. Anybody  
22 that would say different has something to hide. It is  
23 so frustrating to continue to hear lies about the  
24 person we've known for over 20 years. No one deserves  
25 to be murdered, dismembered and thrown away like

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1 garbage. Bill certainly did not deserve such  
2 treatment.

3 Sue and I believe that the person responsible  
4 for Bill's death, Melanie McGuire, should have to serve  
5 the maximum term allowable by law for each indictment  
6 in which she has been found guilty. Bill had no  
7 rights, nor can he appeal his death. If Bill would  
8 have one-tenth of the rights that Melanie has enjoyed  
9 these past three years he would still be alive today.

10 Thank you, Judge.

11 THE COURT: Thank you, Mr. Rice.

12 MS. PREZIOSO: Judge, we'd ask Cindy Ligosh,  
13 Bill's sister, to come forward.

14 MS. CINDY LIGOSH: Good morning, your Honor.

15 THE COURT: Good morning.

16 MS. CINDY LIGOSH: The day we were notified  
17 that my brother's body had been found in three  
18 suitcases, shot multiple times, his body desecrated and  
19 dumped into the water like garbage was the darkest day  
20 that our family has ever experienced. Our loved one  
21 was taken from us quickly and violently. Such  
22 unthinkable horror is something read about only in  
23 books and newspapers. It happens to someone else,  
24 anyone else, just not you, never to you. We were as  
25 naive as most people to think that we were somehow safe

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1 from something so brutal ever touching our lives, but  
2 we were wrong. This nightmare did happen to us, to our  
3 loved one. It happened to my sweet brother Billy and  
4 to his two sons, to Nancy's brother and to Laura, Max,  
5 to my husband Bill's brother-in-law, to Billy's aunts,  
6 uncles, cousins and to his godson Austin and it  
7 happened to his friends and co-workers. All of us were  
8 devastated by his gruesome and untimely death and none  
9 of us will ever be the same again.

10 My name is Cindy Ligosh and I am Billy  
11 McGuire's big sister. And I spoke to my brother almost  
12 every day. More often than not, we spoke many times  
13 a day, whether it was a quick hi, what are you doing,  
14 or just to pass the time because we enjoyed each  
15 other's company so much.

16 During the month that he was missing my phone  
17 became strangely silent. Billy suddenly stopped  
18 calling and he couldn't be reached. The fun  
19 conversations were replaced with increasingly frantic  
20 voice messages to call me, I'm worried, where are you,  
21 what -- when will you answer your phone. I even left  
22 him one message telling him that he had better be dead  
23 because that would be the only excuse good enough for  
24 worrying me like this and then superstition got the  
25 better of me and I quickly left another message saying

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1 I didn't mean that, please call me back. And after his  
2 body was found I still kept calling just to hear his  
3 voice. And those numbers are now disconnected and he  
4 has been forever silenced and I will never hear his  
5 voice again.

6 When a loved one is taken so tragically, so  
7 heinously, it's almost impossible to wrap your mind  
8 around it. Logically you know that they are dead, yet  
9 for months you have these moments, and these moments  
10 are a small blessing, these moments when your  
11 imagination steps in to relieve your heartache and for  
12 a period of time you fantasize, maybe he's not really  
13 dead, maybe they got it all wrong, they must have  
14 gotten it all wrong. My brother isn't dead. It must  
15 be a crazy reality show and he just has to fool his  
16 loved ones into believing he died to win the grand  
17 prize. You convince yourself it could be a possibility  
18 and your mind lets you go with it for a few seconds,  
19 a few minutes, hopefully more, because you need that  
20 relief. You need to believe in anything other than the  
21 awful truth because the truth is more than you can  
22 stand, but soon you can't keep up a charade and you're  
23 forced back into reality. It's no game show. It was  
24 no mistake. Billy isn't coming back. Billy is dead.  
25 He died horribly, all alone, on one of the happiest

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1 days of his life. There was nothing you could do to  
2 help him. And then you get angry, very angry, and the  
3 cycle continues until you find a way to cope and to  
4 bear the pain.

5 I've known for quite a long time that I would  
6 have an opportunity to give an impact statement, an  
7 opportunity that I looked forward to because it would  
8 finally be my chance to let people know what kind of  
9 man my brother truly was and how very much he will be  
10 missed because he was loved. At the same time I've  
11 dreaded this day. I don't want to be up here on display  
12 sharing my private pain. Billy has been through  
13 enough. We've all been through enough. This is not  
14 the forum where I wish to remember my brother. This  
15 room is filled with the vile details of his death and  
16 there are people here that I do not wish to share my  
17 personal memories with, yet I understand it is  
18 necessary, so I will try to share what I can if it will  
19 truly make a difference.

20 An impact statement is just that, the impact  
21 that this crime has had on you, your feelings about the  
22 crime, how your life has changed as a result, what  
23 you've lost, what you've suffered, so I sat down and  
24 attempted many times to try to put into words  
25 a lifetime of memories and joy that my brother meant to

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1 me, to all of us, but every attempt I made was too  
2 painful. How could I begin to describe this loss and  
3 how could this Court truly understand the depth of my  
4 despair? No one can understand exactly how I feel.  
5 It's hard enough to lose someone through accident,  
6 sickness or old age, but it's beyond comprehension to  
7 lose someone this way, so as I wrote my eyes would  
8 fill with tears until I could no longer see the page.  
9 I was unable to separate memories into coherent  
10 sentences no matter how hard I tried. Feelings of  
11 sorrow and anger are still raw and the anguish I feel  
12 is unbearable at times. I've been crying for three  
13 years. I love him and miss him more than words can  
14 ever say. There is an empty hole in my heart and  
15 I can't foresee the day I will ever be at peace again.  
16 I only had one brother and he's the only brother I will  
17 ever have and he's now lost to me forever.

18 Perhaps the best way for me to help you  
19 understand how much I've lost is to ask you to imagine  
20 someone in your life that you may have loved very, very  
21 much and that this someone had shared your life since  
22 the day they were born and had loved you back just as  
23 much as you loved them. You shared the good times and  
24 the not so good times. They laughed with you, cried  
25 with you, you gave each other comfort and a shoulder to

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1 cry on. You knew everything about each other, could  
2 finish each other's sentences and always got each  
3 other's jokes, that special someone that you never had  
4 to explain yourself to because they knew you better  
5 than anyone else and always knew what was in your  
6 heart. They always had a smile for you to help you  
7 feel better and he was always glad to hear from you,  
8 you were glad to hear from them, a person you could be  
9 completely honest with and he was completely honest in  
10 return, someone whose opinion you valued, someone you  
11 admired, a person who would always be on your side and  
12 to stand by your side and would never turn their back  
13 on you no matter what. They would go to the ends of  
14 the earth to find you, to help you, to make sure you  
15 were always safe and happy. This person is the one who  
16 you knew would always be there for you, always, someone  
17 who can't be replaced because there is no one else like  
18 them in the whole wide world. You treasure them and  
19 count yourself lucky they were a part of your life, yet  
20 you take it for granted they will continue to be a part  
21 of your life for the rest of your life and it's a  
22 person who -- well, you know what I mean, well, it was  
23 my brother, and then in one God awful moment you learn  
24 they are gone, taken away much too soon, no warning,  
25 no time to prepare, no hug good-bye, no opportunity to

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1 tell that person just once more how much they meant to  
2 you and how much you loved them.

3 What I will remember most about my brother is  
4 his heart, a forgiving heart, an understanding heart  
5 and a soft heart made of gold. He was a sensitive man  
6 and he cried. He cried sometimes when he was happy and  
7 he cried sometimes when he was sad and I loved that  
8 about him. His heart was filled with compassion,  
9 kindness and generosity towards others. He always  
10 wanted to make sure that everyone was doing all right.  
11 He never held a grudge, was quick to forgive and forget  
12 and would help anyone in need. You never had to ask.  
13 He'd just be there for you. And whenever there was  
14 family strife it was always Billy who would be the  
15 peacemaker, who would step in and mend us.

16 What I will miss most about my brother is the  
17 laughter, always the laughter. You couldn't help but  
18 want to be around him because he always had a joke or  
19 a funny story. When you left him or got off the phone  
20 you always had a smile on your face because that was  
21 one of his gifts to us, his humor. I never laughed so  
22 hard or so much when I was with him and I don't laugh  
23 nearly as much now without him and I think I will miss  
24 that most of all. He loved to use his fake accents and  
25 impersonations and for the past three April Fools Days

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1 I've missed the big kick Billy always got -- always had  
2 when he got you. You knew it was coming every year and  
3 you tried desperately to prepare and swear next year he  
4 wasn't going to fool you, but somehow he always found  
5 a way to take you by surprise and secretly you were  
6 always glad that he did.

7 Billy and I had dreams of spending our golden  
8 years in rocking chairs on a shady beach-front porch,  
9 watching our grandchildren play together in the sand.  
10 That dream will never be realized. We will not grow  
11 old together and not only will he never watch his  
12 grandchildren or mine, he will never have a chance to  
13 watch his own sons grow up. Billy and I will not have  
14 each other to lean on in our old age. We will not have  
15 each other to help recover lost memories of the past  
16 and to help fill in the blanks. His voice will not be  
17 heard at the Christmas dinner table, every holiday,  
18 every birthday, every special memory we shared with  
19 Billy. He will never again proudly show the pictures  
20 of his children. There will never be another joke, no  
21 more phone calls, no more warm smiles, no little  
22 brother for me. There's an emptiness without him. My  
23 sister and I are alone now. Our family is incomplete.  
24 Billy's death has taken a tremendous toll on us, but at  
25 least we are adults. We were lucky enough to have

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1 Billy with us for a little while even though it was not  
2 nearly long enough. Now we are missing an important  
3 part of our past, our present and our future, but we  
4 have our wonderful vivid memories that will help us to  
5 forever remember.

6 I've more or less said my piece, but sadly  
7 now I must speak for my nephews, my brother Billy's  
8 sons. They are the ones to suffer the most grievous  
9 loss because the best memories with their father were  
10 yet to come. His sons were just babies, only two and  
11 four years old, when the sun rose on that April morning  
12 and their daddy was nowhere to be found. The morning  
13 before these two little boys were fixtures on their  
14 father's lap, the apples of his eye, but on this day of  
15 their mother's choosing they became fatherless. One  
16 day they were being smothered with kisses and hugs and  
17 bounced upon his knee, the next day they had no daddy  
18 any more and were denied a chance to ever say good-bye.  
19 They never got that last hug, that last kiss from  
20 a father who clearly adored them. They were not  
21 comforted that he was in heaven, but were simply told  
22 by his killer their daddy was dead and he was never  
23 coming back. Imagine what that must have been like for  
24 them. Two little boys one day so loved, so secure,  
25 such a bright future, eagerly looking forward to moving

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1 into their first real house with a big backyard and  
2 swing set on a nice wide street in a safe and quiet  
3 neighborhood filled with children, a house their daddy  
4 had found for them, the perfect house, but a house that  
5 he would never live long enough, not even for one day,  
6 to help fill with memories of love.

7 Anyone who knew Billy knew that the sun shone  
8 on his two little boys and no one could whip out a  
9 picture to brag faster than he could. Excuse me. He  
10 was as proud of them as he could be. He had so many  
11 dreams for them, so many plans, so much he wanted to do  
12 with them and do for them. Excuse me. He will never  
13 get that chance and they will be the lesser for it.  
14 Like most fathers, he wanted to do his best, give them  
15 his best and to be the best for them. He wanted to be  
16 a good daddy and he was. He just didn't get a chance  
17 to be a good daddy nearly long enough.

18 I asked Billy's older son how he felt about  
19 losing his father and he told me that he feels sad. He  
20 said he loves to remember all the good times they had  
21 together and he smiles, but sometimes he gets upset and  
22 it bothers him there are things about his dad he  
23 started to forget. He easily recalls watching movies,  
24 cuddling with his daddy and munching on popcorn  
25 together. He remembers his trip to the circus,

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1 Radio City Christmas Show and the fun they had together  
2 at the zoo. His daddy used to pick him up from daycare  
3 and take him for special treats like ice cream and  
4 sometimes a book or a toy, and that his daddy taught  
5 him about the Yankees, the best team in baseball, and  
6 when he remembers that his daddy had promised to teach  
7 him how to ride a bike once they moved into their new  
8 house he is the most sad. You see, since he lost his  
9 daddy he's learned to ride that bike. His daddy didn't  
10 teach him though. His daddy never got that chance.

11 Billy's little one has fewer memories of  
12 daddy than his older brother. In a way this is  
13 a blessing because he seems not to suffer as much.  
14 I fear as he gets older the lack of memories would harm  
15 him the most. He often relies on his big brother to  
16 tell him about daddy and to help him remember.  
17 Watching them together talking about their daddy, I'm  
18 surprised how often they want to speak of him, and when  
19 the oldest has memories of his father that the little  
20 one was too young to share he makes believe sometimes,  
21 he makes believe that he remembers and he was there,  
22 too, because he wants those memories of family and good  
23 times that siblings naturally want to share, memories  
24 that he didn't get the chance to make, so he has  
25 co-opted some of his big brother's memories as his own

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1 and like a good big brother the older one shares, and  
2 as they reminisce they cuddle sweetly, heads together,  
3 very close together. They only have each other now.

4 As I tuck them in bed at night, soft blanket  
5 and squishy pillows and their little treasures hidden  
6 on the side of their beds, I mourn that they will never  
7 have their father's arms around them to give them  
8 comfort if they wake from a bad dream. I mourn that  
9 they may one day not remember his smile, that warm  
10 wonderful smile that Billy had, the smile that told you  
11 that he loved you and everything would always be all  
12 right, that smile that lit up a room. They will never  
13 see their father's face, the pride he felt in their  
14 accomplishments. They will have no father to answer  
15 their questions, to guide them, to love them  
16 unconditionally, never again. All that they have left  
17 now are their memories of the past and all we know of  
18 their future is that it will not include a father who  
19 had loved them with all of his heart.

20 So to honor him and keep a part of him alive  
21 we will try to keep his laughter in our hearts and his  
22 smile upon our faces for his two sons. We will teach  
23 them of their father's love and will comfort them as  
24 best we can, but it will never be enough and it will  
25 never be what they deserve. They deserve a father and

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1 a mother and a life filled only with joy and happiness.

2 Who did this? What happened? These are  
3 questions that will need to be answered for them some  
4 day and how sad that the answer will be as painful as  
5 it was to tell them they had lost their father and he  
6 was never coming back. They will know it was their own  
7 mother who took their father from them and I can't yet  
8 imagine how we will be able to tell them without  
9 hurting them. This is what she's done to her sons.  
10 This is how much she cared for them. She has denied  
11 them a father and so much more. She's denied them  
12 a normal life, a happy, carefree, Beaver Cleaver type  
13 of life that we wish for all children. They will never  
14 have that life. She has tainted them. They will be  
15 objects of pity, frustration and hushed whispers. They  
16 will forever be stigmatized by the heinous crimes she  
17 has committed not just against their father but against  
18 them. Some day they will learn the truth of what  
19 happened to their father. They will also learn this  
20 woman did not love them because no one who truly loved  
21 her children would have ever taken their father away  
22 from them, but she did. They are her innocent victims,  
23 too. Growing up under these circumstances is a tragedy  
24 no child should have to endure. They have each been  
25 sentenced to life and she alone has passed down that

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1 sentence to her own sons.

2 So what I have said today has served a dual  
3 purpose of sorts. I stood not at the front of a church  
4 speaking about my brother, but in a courtroom with his  
5 killer. It is odd because in a way this is his eulogy.  
6 My brother Billy never had a proper funeral. We were  
7 denied the chance to mourn him in the way most families  
8 are allowed to mourn the loss of a loved one. We were  
9 not allowed to reach out to many who loved Billy and  
10 would have wanted to say good-bye to him. Names,  
11 addresses and phone numbers were kept from us. We were  
12 denied the chance to gather together and reminisce  
13 about a man we loved and missed terribly. There was no  
14 casket. There couldn't be under the circumstances.  
15 Instead a small unadorned urn sat lonely upon a  
16 pedestal. So there would be no last pats on the hand  
17 to say so long and Godspeed, no opportunity to lean  
18 over to kiss the cheek of our loved one who had  
19 departed without that last embrace, no mass, no priest  
20 to bless his sole, no graveside service. Instead much  
21 more publicly than I would have liked this is where  
22 I ended up having to speak about my brother.

23 Unfortunately I need to address the outright  
24 lies that were told about my brother both in this  
25 courtroom and whispered in the hallways. What was said

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1 in an attempt to help this killer to go free was untrue  
2 and it was despicable. My brother was not the man that  
3 his killer needed people to believe he was and  
4 thankfully those who knew him knew the truth and took  
5 solace in the fact we knew this was not our Billy being  
6 spoken about, rather it was pure fabrication done with  
7 malice. His vicious death was horrible enough. Having  
8 his good character dismembered with untruths and  
9 innuendo in addition to losing him was disgusting. My  
10 brother was in no way anything less than a wonderful  
11 and caring father and husband. His family came first  
12 and he was devoted to them. He was a very good man.

13 Lastly, I would like to ask your Honor to let  
14 her sentence reflect the gravity of the crime she has  
15 committed. She is a cold-blooded killer who has taken  
16 a valuable life. She has no sole and she cannot be  
17 rehabilitated. Please don't make her children suffer  
18 any more knowing some day the woman who took their  
19 father from them will be free and will re-enter their  
20 lives. Don't give her the opportunity to harm those  
21 children again. Make that decision for them. Because  
22 of her both parents are gone to them and it is bad  
23 enough they will relive this horror for the rest of  
24 their lives. Let my nephews have some peace in healing  
25 now. This woman has displayed an inappropriate haughty

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1 arrogance for three years and since she committed this  
2 crime she has not shown one ounce of remorse, shame or  
3 passion. Give her a sentence that will wipe that  
4 arrogance off of her face. Never let her have hope.  
5 We have no hope. She had no pity. Show her no pity.  
6 She showed no mercy. Give her no mercy. She alone  
7 passed sentence on her husband and her sons and she  
8 chose for them a life sentence and I ask you on behalf  
9 of our family to give her a life sentence in return.

10 Thank you.

11 THE COURT: Thank you, Miss Ligosh.

12 All right. Ladies and gentlemen, I  
13 understand that there are others of you who would wish  
14 to speak to the Court and make statements here, but, as  
15 I hope the attorneys have advised you, our law imposes  
16 guidelines and rules on who may speak at sentencing.  
17 I want to assure you that even though you may not have  
18 had a chance to speak, every letter that has been  
19 written to the Court has been carefully read by the  
20 Court and has been considered prior to this sentencing  
21 proceeding today, so for those of you who have written  
22 I thank you for your input.

23 Mr. Tacopina, does the defendant wish to make  
24 a statement before sentence is imposed?

25 MR. TACOPINA: No, your Honor.

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1 THE COURT: All right. Counsel, thank you  
2 very much for your input.

3 Again in addition to the documents that I've  
4 made reference to earlier, I now have had a chance to  
5 consider the arguments of counsel, the statements made  
6 today by the victims and witnesses in this matter and,  
7 as the -- as all the attorneys have pointed out, in  
8 this case the crime of murder carries with it a minimum  
9 term of 30 years and a maximum term of life  
10 imprisonment. It is the responsibility of the Court to  
11 review all of this information that has been provided  
12 to the Court and to consider whether there are  
13 aggravating factors that are present that would warrant  
14 imposing a greater term than the minimum term or  
15 whether there are mitigating factors that would cause  
16 the Court to lean towards the minimum term. I have  
17 done that to the best of my ability and after  
18 conducting an analysis of the aggravating factors in  
19 this matter I am convinced, first of all, that the  
20 nature and circumstances of this offense do in fact  
21 constitute a very significant aggravating factor in  
22 that the crime was committed in an especially heinous,  
23 cruel and depraved manner. The nature and the  
24 complexity and the scope of this criminal episode  
25 involved many, many overt actions committed over

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1 a three-week period spanning four different states and  
2 reflected a willfulness and a malice that goes far  
3 beyond the elements of the crime of murder in our law.

4 The desecration of William McGuire's remains  
5 was particularly heinous and depraved. His body was  
6 treated as trash. It was cut and sawed apart and then  
7 packaged in garbage bags. His remains were left to  
8 decompose in the waters of another state without  
9 identification so that his family and friends might  
10 always be deprived of a dignified funeral service and  
11 burial.

12 The depravity of the murder was further  
13 manifested by the efforts on the part of the defendant  
14 to portray William McGuire as an abusive husband and  
15 a chronic gambler who was indebted to organized crime  
16 figures as part of her attempt to shift the blame for  
17 his murder to others, and, as the Attorney General  
18 pointed out, during the course of the trial there was  
19 simply no credible evidence to suggest that this  
20 characterization of Mr. McGuire was in any way  
21 accurate. But perhaps most tragically the murder of  
22 William McGuire and the attack on his character has  
23 surely caused grave harm to his children. They must  
24 now grow up without a mother or father and their  
25 memories of both will be distorted and confused by the

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1 web of deception created by the defendant.

2 The depravity of this murder simply shocks  
3 the conscience of the Court.

4 Clearly as another aggravating factor the  
5 Court finds that there is indeed a need to deter this  
6 defendant and others from this type of horrendous  
7 criminality.

8 Evidence was presented to this Court that the  
9 jury found credible that this defendant was carrying on  
10 a long-term intimate affair with a colleague who she  
11 was at some point claiming to have a future with after  
12 they both left their spouses. The need for deterrence  
13 is particularly important in cases of calculated  
14 premeditated murder. The Court must impose a sentence  
15 that makes it clear that one who callously destroys  
16 a family by resorting to violence and murder to  
17 accomplish her own selfless ends must face the most  
18 severe consequences that the law would provide.

19 These are the aggravating factors that this  
20 Court finds to be significant.

21 I do not find that the vulnerability of the  
22 victim or that the risk that this defendant would  
23 necessarily commit another crime can constitute  
24 an aggravated factor in this case, and surely  
25 a defendant has a right to trial and if a defendant

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1 chooses to plead not guilty and go to trial this Court  
2 cannot under our law characterize that as a lack of  
3 remorse and impose greater punishment on the defendant,  
4 so I cannot find those aggravating factors that the  
5 Attorney General requests.

6 Now, with respect to mitigating factors,  
7 incredibly the defendant argues that her imprisonment  
8 and the resultant excessive hardship to her children  
9 should be considered as a mitigating factor. There's  
10 no doubt that because of her cruel and deliberate  
11 actions the McGuire children have been deprived of both  
12 their parents, but they are, from everything that I can  
13 tell, being well-cared for by their father's family.  
14 To consider the hardship imposed on them as a  
15 mitigating factor that should benefit the defendant  
16 would make in my view a mockery of our system of  
17 justice.

18 Counsel for the defense also argue that the  
19 character and attitude of the defendant indicate that  
20 she is unlikely to commit another offense, and they  
21 have indeed provided the Court with numerous, numerous  
22 letters of support for her. Ironically the State  
23 argues that the defendant's character is an aggravating  
24 factor and offers equally persuasive evidence.

25 Frankly, given the requirement of a mandatory

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1 30-year prison term, neither of these factors seem  
2 quite significant to the Court with respect to the risk  
3 of the defendant committing another offense. In any  
4 event, I surely cannot conclude that the defendant's  
5 character is indeed a mitigating factor. While it  
6 clearly has been demonstrated that the defendant has  
7 done many good deeds, the record in this case also  
8 reveals that she has been a ruthless, calculating and  
9 manipulative individual. Regrettably history is  
10 replete with evil-doers have done some good deeds and  
11 who also have their supporters, but in this matter  
12 before the murder of her husband and desecration of his  
13 remains the defendant carried on affairs, extramarital  
14 affairs, even while expecting one of her children.

15 After the murder the defendant callously  
16 ridiculed her husband and even joked about his death on  
17 intercepted telephone conversations with friends and  
18 relatives. As she orchestrated her web of deception  
19 she manipulated friends, friends like Jim Finn, and  
20 relatives to help her and she discouraged them from  
21 cooperating with the investigation. Under these  
22 circumstances her character cannot in any way be  
23 considered a mitigating factor.

24 Finally, the defense argues that the  
25 defendant has led a law-abiding life for a substantial

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1 period of time before the commission of these present  
2 crimes. While this is technically accurate, the Court  
3 finds this factor to be largely insignificant since the  
4 defendant was previously charged with perjury before  
5 a municipal court in Union County but allowed the  
6 opportunity for Pretrial Intervention as recently as  
7 1998. Despite the chance afforded the defendant  
8 through PTI, she once again made false statements to  
9 obtain a handgun in Pennsylvania in 2004 and, of  
10 course, now has also been convicted of perjury before  
11 the Family Court with respect to this criminal episode.

12 So, after careful consideration, the Court is  
13 clearly convinced that these two very aggravating and  
14 significant factors substantially outweigh this one  
15 mitigating factor which again I find to be  
16 insignificant.

17 The overall circumstance of a crime has been  
18 described in our law as the single most important  
19 sentencing factor. In this case the crime was so  
20 heinous, so cruel and so depraved that the Court finds  
21 that the maximum sentence should be imposed. So as to  
22 count one of the indictment charging the murder of  
23 William McGuire, the defendant is committed to the  
24 custody of the Department of Corrections to serve  
25 a term of life imprisonment and the defendant must

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1 serve 85 percent of the maximum term before being  
2 eligible for parole. In addition, the defendant is  
3 ordered to pay certain mandatory fines and penalties  
4 which the Court will set forth on the Judgment of  
5 Conviction.

6 The Attorney General has asked the Court to  
7 impose a very heavy fine and to order restitution to  
8 compensate the children for the loss of their father's  
9 income. I've carefully reviewed the presentence  
10 report. The Court may only impose fines and  
11 restitution based upon the defendant's ability to pay.  
12 I am satisfied from reviewing the presentence report  
13 that this defendant is virtually bankrupt and that her  
14 legal fees and other debts make it impossible for her  
15 at this time to pay any substantial fine or  
16 restitution. I am also satisfied that in light of the  
17 circumstances of these proceedings and this sentence  
18 that any additional support that the children need or  
19 any compensation that the children need can be dealt  
20 with in the Family Court under more appropriate  
21 proceedings.

22 Under our law when one is convicted of  
23 a first degree crime the Court must also order a period  
24 of parole supervision for five years upon the release  
25 of the defendant.

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1 As has been mentioned by counsel, count two  
2 charging the possession of a handgun for an unlawful  
3 purpose will merge with count one.

4 As to count three, the desecration of the  
5 remains of William McGuire, the defendant is committed  
6 to the custody of the Department of Corrections to  
7 serve a term of imprisonment of 10 years with a period  
8 of parole ineligibility of five years. Since the  
9 desecration of the remains of William McGuire was an  
10 integral part and a continuation of the same criminal  
11 episode that included this heinous murder, the sentence  
12 must run concurrent to count one.

13 I do not agree with the Attorney General that  
14 this represents a free crime. The desecration that has  
15 been considered by this Court has been a significant  
16 element that causes this Court to consider the  
17 aggravating factors associated with the murder and to  
18 impose the maximum sentence allowed by law.

19 As to count four of the indictment, the  
20 defendant is committed to the custody of the Department  
21 of Corrections to serve a term of imprisonment of five  
22 years with a period of parole ineligibility of two  
23 and-a-half years. Since the perjury before the Family  
24 Court did involve a separate and distinct crime  
25 committed at a different time and a different location

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1 and also constituted an offense against our judicial  
2 system and our system of justice, the sentence for  
3 count four shall be served consecutive to counts one  
4 and two.

5 The defendant has credit for time served of  
6 148 days.

7 Under our law the defendant has a right to  
8 appeal within 45 days. If the defendant cannot afford  
9 an attorney in order to exercise her right to appeal  
10 an attorney will be assigned to represent her. If the  
11 attorney does not exercise her right to appeal within  
12 45 days then she may be deemed to have waived her right  
13 to appeal.

14 Counsel, are there any questions of the  
15 Court?

16 MS. PREZIOSO: No, your Honor.

17 MR. TACOPINA: No, sir.

18 THE COURT: All right. Counsel, thank you  
19 for your patience and cooperation.

20 The defendant is remanded to the Department  
21 of Corrections at this time.

22 And, ladies and gentlemen, thank you for your  
23 patience and cooperation.

24 These proceedings are concluded.

\* \* \*

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C E R T I F I C A T I O N

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4 I, Linda Urbaniaak, Certified Court Reporter, License  
5 Number XI00678, an Official Court Reporter in and for  
6 the State of New Jersey, do hereby certify the  
7 foregoing to be prepared in full compliance with the  
8 current Transcript Format for Judicial Proceedings and  
9 is a true and accurate compressed transcript of my  
10 stenographic notes taken in the above matter to the  
11 best of my knowledge and ability.

12

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Linda Urbaniaak

15

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25 Date: October 26, 2007